

Exportation of Provisions.

181



Acts and Laws

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston* upon Wednesday the twenty-eighth Day of *May* 1755. And continued by Prorogations to Wednesday the twenty-fourth Day of *September* following, and then met.

C H A P. XII.

An Act for preventing the Exportation of Provisions and Warlike Stores out of this Province.

WHERE it enacted by the Lieutenant Governour, Council and House of Representatives, That no Warlike Stores or Provisions of any Kind whatsoever (Fish only excepted) shall be exported or carried out of any Port or Harbour in this Province, in any Vessel whatever before the first Day of *December* next, saving only such Provisions or Warlike Stores as are necessary for the Defence of each respective Vessel outward bound, and victualling the Mariners on-Board the same; during their intended Voyage, and whereof an Account in Writing shall be given by the Master of such Vessel on Oath to the Impost Officer or his Deputy; and where there is no Impost Officer or Deputy, then to a Justice of the Peace, or the Town Clerk, on Pain of *One Thousand Pounds* Lawful Money, to be forfeited and paid by the Master, and the like Sum by the Owner and Owners, Factor and Factors of each respective Vessel in which any Warlike Stores or Provisions shall be exported or carried out of any Port or Harbour in this Province; one Moiety thereof to the Use of this Government, and the other Moiety to him or them that shall inform or sue for the same: And such Masters, Owners and Factors respectively upon their being convicted of the Offence aforesaid, at the Superiour Court of Judicature, Court of Assize and General Goal Delivery, shall be further liable to stand in the Pillory, and have one of their Ears cut off.

And be it further enacted, That if the Governour or Commander in Chief for the Time being, shall see fit with the Advice and Consent of the Council to issue a Proclamation, prohibiting the Exportation of Provisions or Warlike Stores out of this Province for any Time after the said first Day of *December* next,

Exportation
of Warlike
Stores and
Provisions
prohibited,
saving.

Penalty &c:
for Breach of
this Act.

Governor and
Council may
prolong the
Time above.

[B b b]

next,

Exportation of Proviſions.

next, not exceeding the firſt Day of *March* next after, the Maſter and Owner and Owners, Factor and Factors of any Veſſel or Veſſels on board of which ſuch Proviſions or Warlike Stores ſhall be exported, contrary to ſuch Proclamation, ſhall be reſpectively liable to the ſame Pains and Penalties as if the ſame had been exported before the ſaid firſt Day of *December*, contrary to this Act.

Proviſo for
Sea or Land
Forces.

Provided always, That it ſhall and may be lawful for any Proviſions or Warlike Stores to be exported for the Service of his Maſteſty's Sea or Land Forces, on board any Veſſel or Veſſels licenced for that Purpoſe by the Governour or Commander in Chief for the Time being, with the Advice of the Council.

Proviſo for
Coaſting Veſ-
ſels &c.

Provided alſo, That it ſhall and may be lawful for Proviſions and Warlike Stores to be laden and transported on board any Coaſting Veſſel or Veſſels paſſing from one Port to another within this Province, Bond being firſt given in a *Thouſand Pounds* Lawful Money, with ſufficient Sureties to the Impoſt Officer or his Deputy; and where there is no Impoſt Officer or Deputy, then to a Juſtice of the Peace or the Town Clerk, to Re-land the ſame in ſome Town or Diſtrict in this Province, and to return a Certificate thereof from the Deputy Impoſt Officer reſiding in the Town or Diſtrict where they are ſo Re-landed, or from the Town or Diſtrict Clerk of ſuch Towns or Diſtricts where no Deputy Impoſt Officer reſides.

Proviſo alſo in
Towns where
the Fiſhery is
carried on.

Provided alſo, That in ſuch Towns where the Fiſhery is carried on, and out of which Veſſels Coaſting from one Port to another in this Province, and wherein neither the Impoſt Officer or his Deputy dwells, the Maſters of ſuch Fiſhing or Coaſting Veſſels may render the Account aforeſaid on Oath to a Juſtice of the Peace or the Town Clerk of the reſpective Towns out of which they ſail, who is hereby impowered to take the ſame: And the Account ſo taken and attested ſhall be by them tranſmitted to the Impoſt Officer, which ſhall be as effectual as tho' the ſame were taken by him or his Deputy.

Impoſt Officer
his Fee.

And be it further enacted, That the Impoſt Officer ſhall be allowed *One Shilling* for each Bond ſo taken; and every Juſtice and Town or Diſtrict Clerk, the like Sum for every ſuch Certificate by them reſpectively tranſmitted as aforeſaid, to be paid by the Maſter.

Penalty for
holding Cor-
reſpondence
or Communi-
cation with
Inhabitants of
Louisbourg &c.

And be it further enacted, That if any of his Maſteſty's Subjects of this Province ſhall hold any Correſpondence or Communication with any Inhabitants of *Louisbourg*, or any other of the French Settlements in *North America*, either by Land or Water, or if any Perſon or Perſons belonging to this Province ſhall go or ſend to *Louisbourg* or any other French Settlement in *North-America* during the Continuance of this Act, the Ship, Sloop or other Veſſel employed, with all her Tackle and Appurtenances, and her Cargo, ſhall be forfeited, one Half to his Maſteſty for the Uſe of this Province, the other Half to him or them who ſhall inform and ſue for the ſame in any of his Maſteſty's Courts within this Province proper to try the ſame; and the Maſter of any Ship or other Veſſel ſo employed, ſhall be further liable to have one Ear cut off, and be publickly whipped thirty nine Laſhes, and be rendered for ever incapable of holding any Place of Honour or Profit under this Government, and the Owner or Owners, and Factor or Factors of the Owner or Owners of ſuch Ship or other Veſſel ſhall forfeit and pay each *five Hundred Pounds*, to be recovered and diſpoſed of as above, and alſo be for ever diſabled to hold any Place of Honour or Profit under this Government.

[This Act was Publiſhed October 1ſt. 1755.]

B O S T O N :

Printed by S. KNEELAND, by Order of His Honour the Lieut.

Governour, Council and Houſe of Representatives. 1755.
